THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 24624 OF 2005

Dated 13th March, 2006

Between:

Smt. M.Santhamma

… Petitioner

And

The Territory Manager,

Chennai Territory

Bharat Petroleum Corporation Ltd.,

J/1, J-6, Phase-II, SIPCOT Industrial Complex,

Gummadipundi-601 201 and others.

… Respondents.

ORDER:

The petitioner, a consumer of domestic LPG connection, has filed this writ petition to declare the action of the respondents 1 to 3 in not taking any action against 4th respondent for selling the domestic LPG Cylinders at a price higher than the permitted.

It is stated in the affidavit filed in support of the writ petition that 4th respondent who is a dealer of Bharat Petroleum Corporation Limited was charging Rs.275.80 ps. per cylinder, whereas another dealer of Indian Oil Corporation was selling the domestic LPG Cylinder at Rs.267/- only. The distance between the two dealers is only 20 kms and both are rural distributorships. Therefore, the petitioner is aggrieved by the action of the 4th respondent in selling the LPG cylinder at a higher price than the permitted and no action is taken by the respondents 1 to 3 to curtail the higher price charged by the 4th respondent.

In the writ affidavit, nowhere it is stated that the petitioner has approached the authorities bringing the factum of higher rate being charged by 4th respondent to their notice and no action is taken on the representation made by the petitioner. It appears that the petitioner without first approaching the authorities concerned, has straight away filed this writ petition alleging inaction of the respondents 1 to 3 in maintaining the parity of prices charged by different dealers of the locality, which is not permissible.

Therefore, I do not find any ground for giving any directions in the matter and the writ petition is accordingly dismissed. However, it is open to the petitioner to bring to the notice of the authorities concerned by way of a representation that 4th respondent is selling the LPG gas cylinders at a rate higher than the permitted. If such a representation is made, it is equally open to the respondents to consider and pass appropriate orders. No costs.

2006. **(R.SUBHASH REDDY, J.)**

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